

CHARGE: 402(a)(3)—the flour contained rodent excreta pellets, and the sesame seed contained rodent urine and rodent excreta pellets; and 402(a)(4)—all the articles held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 3-11-63. Each individual fined \$600, plus costs; and the partnership (which had been dissolved) fined \$1.

29411. Flour. (F.D.C. No. 49450. S. No. 10-210 X.)

QUANTITY: 100 100-lb. bags at Oil City, Pa.

SHIPPED: 8-28-63, from Buffalo, N.Y.

LIBELED: 11-18-63, W. Dist. Pa.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 12-11-63. Default—destruction.

29412. Flour. (F.D.C. No. 48551. S. Nos. 1-600 T, 204/6 V.)

INFORMATION FILED: 7-23-63, N. Dist. Fla., against John B. Higdon, Sr., Quincy, Fla.

ALLEGED VIOLATIONS: Between 2-27-62 and 9-21-62, and while quantities of flour were being held for sale after shipment in interstate commerce, the defendant caused the flour to be held in a building that was accessible to rodents and insects, and caused the flour to be exposed to contamination by rodents and insects thereby causing the flour to become adulterated.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 2-4-64. \$750 fine.

29413. Gluten flour and rice. (F.D.C. No. 49520. S. Nos. 2-892/3 X.)

QUANTITY: 162 100-lb. bags of gluten flour, and 97 25-lb. bags of rice, at Miami, Fla.

SHIPPED: Between 6-5-63 and 8-29-63, from Minneapolis, Minn., and Houston, Tex.

LIBELED: 11-22-63, S. Dist. Fla.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 2-17-64. Default—destruction.

29414. Pastry flour. (F.D.C. No. 49638. S. No. 66-554 X.)

QUANTITY: 35 100-lb. bags at Atlanta, Ga., in possession of S. Paul Travis Co.

SHIPPED: 10-3-63, from Evansville, Ind.

LIBELED: 12-13-63, N. Dist. Ga.

CHARGE: 402(a)(3)—the article was rodent-gnawed; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 1-8-64. Consent—claimed by S. Paul Travis Co. Segregated; 15 bags denatured for use as animal feed.

29415. Pastry flour. (F.D.C. No. 49375. S. Nos. 66-524/5 X.)

QUANTITY: 103 100-lb. bags of pastry flour and 28 100-lb. bags of flour at Atlanta, Ga., in possession of S. Paul Travis Co.

SHIPPED: 7-9-63 and 8-6-63, from Chattanooga, Tenn., and Evansville, Ind.

LIBELED: 10-2-63, N. Dist. Ga.

CHARGE: 402(a)(3)—the 103-bag contained rodent urine and rodent hairs; and 402(a)(4)—both lots held under insanitary conditions.

DISPOSITION: 11-22-63. Consent—claimed by S. Paul Travis Co. Segregated; 15 100-lb. bags denatured for use as animal feed.

29416. Soy flour. (F.D.C. No. 49605. S. Nos. 18-561/2 A.)

QUANTITY: 12 100-lb. bags at Buffalo, N.Y.

SHIPPED: 2-13-63, from Chicago, Ill.

LIBELED: 1-24-64, W. Dist. N.Y.

CHARGE: 402(a)(3)—while held for sale, the article contained insects; and 403(e)(1)—the label of the article failed to bear the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: 4-20-64. Consent—destruction.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS*

29417. Barley. (F.D.C. No. 47764. S. No. 70-232 T.)

QUANTITY: 118,560 lbs. at Minneapolis, Minn.

SHIPPED: 5-23-62, from Brookings, S. Dak., by Farmers Cooperative Co.

LIBELED: 6-20-62, Dist. Minn.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, a mercurial compound, which was unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on barley has been prescribed by regulations.

DISPOSITION: 6-22-62. Consent—claimed by Farmers Cooperative Co. Cleaned; 16,986 lbs destroyed.

29418. Barley. (F.D.C. No. 46500. S. No. 15-428 T.)

QUANTITY: 39 100-lb. bags at Indianapolis, Ind.

SHIPPED: 9-7-61, from Cedar Rapids, Iowa.

LIBELED: 10-25-61, S. Dist. Ind.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 12-5-61. Default—destruction.

29419. Cereal flakes with raisins. (F.D.C. No. 45696. S. No. 46-385 R.)

INFORMATION FILED: 2-8-62, N. Dist. Ohio, against Sniderman Bros., Inc., Youngstown, Ohio, and Harvey Sniderman, vice president.

ALLEGED VIOLATIONS: Between 10-18-60 and 11-1-60, while quantities of cereal flakes with raisins were being held for sale after shipment in interstate commerce, the defendants caused the article to be held in a building that was accessible to rodents and exposed to contamination by rodents.

CHARGE: 402(a)(3)—contained rodent excreta pellets; and 402(a)(4)—held under unsanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 10-22-62. Corporation and individual each fined \$125.

*See also Nos. 29409, 29410, 29413.